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# A STOLEN GOVERNMENT

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*By HERMAN B. WALKER*

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“**N**O matter how bad your laws may be, if the people have the power to make them good they will make them good, and the most important provision that you can have is a provision that places in the hands of the people power to correct the Constitution and make it keep pace with progress and intelligence, and the initiative and referendum are the best things that we have found so far to bring the government near to the people.”—William Jennings Bryan.

“To-day, as in 1776, the establishment of political liberty is the dominant issue. Why should voters choose between rulers when they can at once become the sovereign power?”—American Federation of Labor.

“The Maine Conference of the Methodist Episcopal Church heartily indorses the principles of the initiative and referendum. The secretary is directed to prepare a memorial in favor of the initiative and referendum and send it to the Maine Legislature of 1907.”—Resolutions adopted April 15, 1906.

“Resolved, That we heartily endorse the non-partisan movement for the extension of the use of the referendum, and recommend the subject to the careful consideration of all the farmers in all our states.”—National Grange, Patrons of Husbandry.

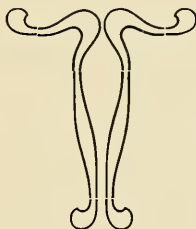
Constitutional amendments for the adoption of the Initiative and Referendum have been approved by the legislatures, and are to be submitted to a vote of the people this year in Ohio, Maine and North Dakota. States that have adopted the initiative and referendum, in whole or part, are: Oregon, South Dakota, Utah, Montana, California, Illinois, Iowa, Delaware and Texas.

"The remedy for the evils of democracy is more democracy."—*De Tocqueville*.

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# A STOLEN GOVERNMENT

HOW TO RESTORE IT, AND TO THWART  
FURTHER EMBEZZLEMENT OF POWER,  
THROUGH THE ADVISORY INITIATIVE,  
OR PUBLIC OPINION LAW    ::    ::    ::



—By—  
*HERMAN B. WALKER*  
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"Government of the people, by the people, and for the people."—*Abraham Lincoln*.

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HERMAN B. WALKER.

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# The Advisory Initiative.

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As proposed by the People's Lobby, the Advisory Initiative, or Public Opinion Law, is designed to have important State questions submitted to a popular vote, in cases where the Legislature fails or refuses to act.

**What It Is**

Under the proposed plan ten per cent of the voters of the State may petition the Legislature for the passage of any bill or resolution, or the submission of any proposed amendment to the State Constitution.

**People to  
Create  
Issues**

Unless the measure proposed is passed by the Legislature without change or amendment, and is approved by the Governor, the question of its adoption is referred to a vote of the people at the next election, for the purpose of having the Legislature and the Governor instructed by an expression of public opinion.

The Legislature, it is proposed, may offer an alternative or competing measure, which shall be voted on at the same election. In such case, the voters may express their preference for one measure or the other, or may vote against both.

Measures so submitted are to be voted on at general elections only, and on a separate ballot.

**Vote on  
Separate  
Ballots**

A copy of each measure to be voted on, and a facsimile of the ballot, with instructions for voting it, are to be given to each voter who registers for the election.

When a majority of the votes cast for and against any measure in any election are in its favor, the Legislature at its next session must again consider and vote on the passage of the bill or resolution, without change or amendment.

**Legislature  
Must Vote  
Again**

The bill does not propose taking any power out of the hands of the Legislature. It does provide a means for letting the voters tell the Legislature, by a separate vote on any question, what the public opinion on such question may be.

Under the Public Opinion Law, the people would have the power to force such consideration of such issues as are demanded by the public interests, by taking the questions out of party politics and out of the hands of the politicians.

**Destroys  
Bossism and  
Corporation  
Rule**

With this law in force, the people would be able to compel consideration of questions the bosses and corporations are now able to have ignored, evaded or sidetracked.

It will give the conscientious legislator a chance to vote intelligently and in accordance with the wishes of the people on fundamental and close questions.

It will force the tricky, careless or subservient legislator to act in accordance with public opinion, instead of at the behest of private and selfish interests.

# A Stolen Government.

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Under our form of government, that of a democratic republic, we elect representatives to make and enforce the laws. Matters of routine management of public affairs are left to their discretion. On fundamental and close questions, and on proposed changes or reforms in public policy, the representatives are instructed through the medium of party platforms and pledges or by referendum voting.

This is the theory of our representative government system, as it exists to-day. In theory, it is perfect. In practice, it does not always work perfectly.

## **The Theory of Representative Government**

It happens now and then that some mysterious force or influence or misunderstanding gets between the representative and the voter. Because of some difficulty which neither quite understands, the one is unable to make clear exactly what he wants done, and the other fails to do it.

In theory, the machinery of elections is designed to enable the voter the fullest freedom and greatest latitude in selecting for office men who will carry out his wishes and instructions.

In practice the operation of the election machinery frequently shows that the men who constructed it did not design it for that purpose.

With perfect election machinery there would be no trouble for the people to elect representatives who would make and enforce such laws as the people want made and enforced.

Too often the result of elections and the proceedings in legislative bodies now show that the people have been unable to accomplish the purpose they wanted to accomplish. Instead of having a direct and potent voice in policies of government, the people are kept busy voting to fill unimportant offices, and while they are thus occupied a few representatives of special interests are able to control legislation and so fill the important offices by appointment.

## **Flaws in the System**

**Effects of the  
System**

There is hardly a legislative body in the State whose actions do not at some time reflect the pernicious effect of this perversion of representative government; this juggling with the election machinery.

Laws are forced upon the people which the majority do not want.

Reforms demanded by the people are ignored, defeated, sidetracked or emasculated.

Laws heralded with much blowing of horns and beating of tom-toms as great popular reforms turn out, after trial, to be something entirely different from what they were supposed to be.

**A Political  
Tower  
of Babel**

Here are a few instances of how the system works, or fails to work, in New Jersey:

A demand for the closing of dives, wiping out of graft and corruption and enforcement of the laws against crime has resulted in agitation for sumptuary regulation.

An effort to overthrow bossism and corporation rule has resulted in a revival of ancient Blue Laws restricting personal liberty.

Laws intended to make railroads pay more taxes primarily result in raising the taxes of small home-owners.

A demand by the people for the right to nominate their own party candidates for office is misunderstood by the Legislature as being a demand for direct nominations of local officers only.

A demand that the people shall be allowed to participate directly in the nomination of party candidates for the Presidency is sidetracked to boost the personal ambition of a candidate for the Vice-Presidency.

A demand for home rule in municipal affairs is misunderstood by a Governor as meaning that he should have the power to remove municipal officers elected by the people.

A public demand that watered stocks and bonds of utility companies shall not be longer tolerated as an excuse for poor service and high rates is so misunderstood by some reformers that they propose as a remedy the taxing of the watered securities, thus providing an excuse for poorer service and higher rates.

**A Wheel  
Missing**

What is wrong?

Simply this: There is a wheel missing in the election machinery.

Representative government is not a failure.

It is the best system of government yet devised.

It breaks down and fails only when it ceases to be representative.



It ceases to be representative when an election system, instead of making it simple and easy for the people to express their wants and elect men who will do what they want done, is so designed and manipulated as to make it easy to thwart the popular will.

This is what has happened in New Jersey.

The most beautiful and expensive watch ever made won't keep time without a balance wheel.

The trouble with representative government in our own and other states is that when the men who devised the system did their work, they left out the balance wheel.

The Advisory Initiative will supply the missing balance wheel in our governmental machinery.

Before the towns and cities grew too big for such a system, our New England forefathers in government decided their public questions in town meetings.

They elected selectmen to enforce the laws, to keep the books, to collect and pay out the public monies and to do the routine business.

When the question of how much taxes was to be raised, or some other important issue was to be decided, all the voters met in town meeting, talked it out and settled the question by a show of hands.

The initiative and referendum applies the town meeting idea to latter day conditions and government.

As the country became more populous, the town meeting plan was outgrown. It became necessary to leave more and more of the details of public business to be attended to and decided by representatives—selectmen, members of Legislatures and Congressmen.

In the early political life of the colonies and states, the people elected representatives, but when a big question or a close question was to be decided, they held meetings, took a vote, and instructed the representatives as to how they were to vote on the question in the Legislature or in Congress.

This right of the people to instruct their representatives has never been abrogated, and has never been successfully denied, although it has been frequently forgotten.

Constitutions have been framed for the main purpose of limiting the powers of the representatives in the legislative, executive and judicial branches of the government.

No constitution has ever denied the inherent right of the people to control their government, to change and reform it as they may desire, and to instruct their representatives as to their wishes.

Clever manipulation of Constitutional and statutory laws has made it difficult for the people to assert these rights.

## The Town Meeting System

## Legislative Powers Limited

When the Federal constitution was drafted several of the states refused to approve it because it did not guard these rights of the people and place limitations upon the powers of the representatives.

Congress finally promised to provide a bill of rights, and the first ten amendments are the result of this promise.

Two of these amendments are as follows:

**"The enumeration in the constitution of certain rights shall not be construed to denying or disparage others, retained by the people."**—*Article IX, United States Constitution.*

**"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively or to the people."**—*Article X, United States Constitution.*

### The Right to Instruct

Among the rights reserved to the people is that of instructing their representatives.

Delaware is the only State in the Union where the people have delegated the power of amending their Constitution.

In New Jersey the people retain the right to say whether or not a constitutional amendment shall be adopted, but have no power, except that contained in the inherent right to instruct representatives, to say what proposed amendments shall be submitted to a vote.

The Advisory Initiative will give the people of New Jersey the means of exercising this reserved power to instruct the Legislature as to what constitutional amendments shall be proposed.

In Massachusetts the people rejected the first State Constitution proposed because it contained no limitations upon the powers of the Legislature—no bill of rights.

In the first United States Congress the Federalist party, after a long debate, defeated this proposed paragraph in the bill of rights for the Federal constitution:

"The right of the people to instruct their representatives shall never be infringed."

Despite this action of the Federalists, Congress has never attempted to infringe the people's right to instruct representatives.

### Sam'l Adams's Declaration

How firmly the early American citizens adhered to this principle and guarded this right is shown by the old records.

In the Boston Town records of 1764 it is recited that Samuel Adams delivered the people's instructions to the representatives, stating the following general principle:

"The townsmen have delegated to you the power of acting in their public concerns in general as your prudence may direct you, always reserving to themselves the constitutional

right of expressing their mind and giving you such instruction upon particular matters as they at any time may judge proper."

Old records of Massachusetts' towns are full of such instructions.

In North Carolina the right of the people to instruct their representatives has been adhered to from the first. Here are two instances of such instructions given:

"At a general conference of the inhabitants of Mecklenberg assembled at the Court House on the first of November, 1776, for the express purpose of drawing up instructions for the present Representatives in Congress, the following were agreed to by the assent of the people present, and ordered to be signed by John M. Alexander, chairman chosen to preside for the day in such conference." (Vol. 10, Colonial Records of North Carolina, 870 a.). Then followed eighteen paragraphs of instructions as to what the attitude and vote of the representatives should be upon pending questions of public policy.

"We, the people of Orange county, who have chosen you to represent us in the next Congress of Representatives delegated by the people of this State, require you to take notice that the following are our instructions to you, which you are required to follow in every particular with strictest regard."—(Vol. 10, Colonial Records of North Carolina, 870 f.).

Not only were the delegates from the several states to the Continental Congress instructed as to their attitude and vote on important questions, but they were also subject to the recall.—See Articles of Federation.

The right to instruct is specifically reserved in the North Carolina constitution, and has never been questioned or successfully opposed.

In 1816 Thomas Jefferson wrote to John Taylor:

"Your book settles unanswerably the right of instructing representatives, and their duty to obey."

The right of the people to reform their government, and to instruct their representatives as to their wishes, is clearly set forth in the Bill of Rights in the Constitution of New Jersey, as follows:

**"All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it."**—*Art. 1, Par. 2, State Constitution.*

**"The people shall have the right \* \* \* to make known their opinions to their representatives, and to petition for redress of grievances."**—*Art. 1, Par. 18, State Constitution.*

## An American Principle

## A Jeffersonian Doctrine

## New Jersey's Bill of Rights

The Constitution is too often stretched and distorted to thwart the will of the people and give comfort and aid to their enemies. It is time its plain meaning and purpose were invoked to protect the public interests and give direct force to the people's right to manage their own government.

### **Instruction by Political Parties**

For a hundred years the right of the people to instruct their representatives has been recognized by all political parties. There is no other purpose, reason or excuse for the adoption of party platforms.

The parties write into their platforms declarations for and against certain proposed public policies. The party candidate is considered to be pledged to the policies or principles declared for in the platform of his party. If he is elected, the theory is that a majority of the people favor his party's policies, as outlined in the platform, and that the representative is under instructions to seek to enact these principles and policies into law. If he does not do so, he is considered to have broken faith with the party and with the people.

This system of securing expression of public opinion and instructing representatives, however, has proved to be crude, complicated and uncertain.

### **Issues Ignored or Sidetracked**

The party platforms are made by a few politicians, who put into them such declarations as they believe or hope will win votes for the party candidates, and who ignore such questions and issues as they for any reason do not want agitated or discussed.

When an important question is ignored in the party platforms there is no effective method for making it an issue. The mass of the people have no election machinery they can use to force issues.

### **Curbing the Politicians**

A party platform may declare for a principle or policy approved by a majority of the voters, but a Legislature may defeat the main purpose of the desired reform by passing a law that keeps the letter of the pledge only, and does not go to the root of the evil aimed at.

The Advisory Initiative, or Public Opinion Law, will enable the mass of the people to create and force issues without regard to the wishes or attitude of the politicians. It will enable the majority of the voters to pass upon both the form and substance of measures when the Legislature is suspected of bad faith.

### **A Theory That Doesn't Work**

If the people elect a Republican Governor and Legislature in any year, the verdict at the polls is interpreted by the leaders of the party placed in power as meaning that all the voters who voted for the Republican nominees are in favor of everything

contained in the Republican platform, opposed to all the propositions contained in the platforms of all other parties, and not interested in any other questions or issues.

This interpretation of election results seldom holds true.

It may be that both the big parties have ignored in their platforms the questions in which a majority of the voters are most deeply interested.

It may be that partisan prejudice, the personality of candidates, or other influences, have induced voters to give their ballots to the support of candidates with whose party platform they are little in sympathy, and to defeat candidates with whose party platforms they are much more in sympathy.

Suppose, as an illustration of how the voter's mind is confused and his purpose misinterpreted under the present system, that in any year the platform of the two great parties in New Jersey may be made up of the following declarations:

### The Party Platform Puzzle

#### Republican Platform.

1. For local option in the licensing of saloons.
2. For popular vote for United States Senators.
3. For voting machines.
4. For State regulation of public utilities.
5. For municipal home rule.

#### Democratic Platform.

1. For Prohibition of the liquor traffic.
2. For direct primaries.
3. For the Massachusetts' ballot.
4. For municipal ownership of public utilities.
5. For insurance reforms.

If, after these platforms are made, the Democratic party nominates for Governor a man of objectionable habits and bad reputation, and the Republican party nominates a candidate of attractive personality and good character, the result will probably be that a majority of the voters of the State will cast their ballots for the man they consider the better of the two candidates, entirely because of his personality, and regardless of the platform utterances.

Suppose, though, that the two candidates named for Governor are of equally good or equally bad habits and character, so that their personality is not a deciding factor in the election. Still partisan prejudice or affiliation may lead a majority of the voters to cast their ballots for one candidate or the other, again without regard for the platforms.

In either of these two supposed cases, the party platforms have been of little meaning. It does not follow, in either instance, that the election of the Republican candidates has been an endorsement by a majority of the voters of all the principles and policies declared for in the Republican platform, or a repudiation of all the principles and policies declared for in the Democratic platform.

Suppose, even, that personality of candidates and partisanship have not been sufficiently considered by the voters to have



affected the result of the election, and that the difference in the issues presented by the two party platforms has been the deciding test in the voting. What has happened?

It is authenticated history that when a liquor issue is for any reason injected into a State campaign, it immediately becomes paramount.

In the campaign here supposed the liquor question has been made the paramount issue.

### **A Choice of Evils**

Under such conditions suppose the case of an intelligent and independent voter who desires to cast his ballot conscientiously and effectively.

He is opposed to State prohibition, possibly, and favors local option, either because he believes in the idea or considers it less repugnant than the alternative proposition.

He may be opposed to any change in the liquor laws, but more opposed to prohibition than to local option.

Here is the problem with which he is faced:

If he votes for the Republican candidate, who stands for local option, he will be counted as favoring that plan, although he is really opposed to it, and his vote will also be counted as against all the other propositions contained in the Democratic platform and in favor of all the proposals contained in the Republican platform.

If he votes the Republican ticket under such conditions, for instance, his vote will be counted as against direct primaries, although he may favor that plan, and in favor of voting machines, to which he may be opposed.

He may greatly favor municipal home rule, but if he votes for the Republican candidates, in order to give his endorsement to home rule, he must be counted as opposing municipal ownership, in which he believes.

He may be in favor of every proposition contained in the Democratic platform except prohibition, and emphatically opposed to that, or he may be for prohibition and opposed to most of the other Democratic propositions.

Under such circumstances, what is the independent, intelligent and conscientious voter to do?

Of course he may, if he desires, vote for the candidates of some minor party whose platform more nearly accords with his ideas, if he can find such a one. But he probably won't. Aside from any question of partisan prejudice, personal interest or affiliation, he is probably a sensible, hard-headed citizen who knows that either the Republican or Democratic candidates will be elected, and who has the aversion of most American citizens to "throwing away" his vote. He wants to make his ballot count as more than a protest.

In a campaign in which such conditions, or others in any way approaching them, are presented, is it not apparent that

the best the voter can do in recording his opinion concerning the issues at stake, and the most he can do, is to make a choice of two evils by voting for the candidates of that party whose platform is least objectionable to him?

Is it not clear that however he votes, his ballot must be counted as favoring policies to which he is opposed, and as in opposition to propositions with which he is in sympathy?

The Public Opinion bill, by permitting the vote to be taken separately on candidates and questions, will enable the voter to support the candidate he personally favors, or to vote his party ticket and at the same time indicate clearly his opinion on policies and measures of importance.

**The Public Opinion Law will take the liquor question out of State politics.**

Here are some of the propositions being agitated in connection with this question:

State prohibition.

Local option, which is local prohibition.

Enforcement of Sunday laws.

Sunday selling, either by repeal of the Blue Laws or through municipal home rule on the question.

High license.

Low license.

Sale of beer and light wines without license.

Both party platforms, and most of the party nominees last fall straddled the whole question.

The Legislature is unable to determine the question.

If any legislator takes a stand not in harmony with the wishes of a majority of his constituents, he probably sacrifices his political future.

It is not a question any man or set of men can be justified in deciding according to their personal ideas and prejudices.

While there are objections to permitting even a majority vote to decide all phases of the question, certainly it is better for the majority to decide than for the minority to rule.

If the Public Opinion Law had been in existence last year the Legislature would now have something approaching exact information as to what the majority of the people want in the regulation of the liquor traffic, instead of being confronted with an insoluble problem. Now legislators have to guess at what the majority wants, and the chances are they will guess wrong.

Under the Public Opinion Law, had it been in effect, the local option advocates, the home rule advocates, the Sunday opening advocates, and possibly others, would have filed petitions with the Legislature last year, each set of petitioners proposing a measure designed to put into effect their particular views on the subject. If the Legislature had refused to pass any of these bills, they would all have been submitted to a popular vote at the election in November. If one bill

**Public  
Opinion and  
the Liquor  
Question**

had passed the Legislature, all the others submitted would have been ordered a vote.

There would have been a separate expression of opinion on each proposition, entirely separated from any partisanship or consideration of candidates, and the Legislature would know the sentiment of the people of the State on this subject, and be able to legislate accordingly.

### Extremists and Special Interests

One objection made to the proposed law is the assertion that it will be abused by all sorts of extremists and selfish interests proposing all sorts of radical and selfish questions and measures to be voted on.

Even if there were ground for belief that such would be the case, little harm would be done. There would be no cause for alarm or fear. Paltry, extreme or dishonest propositions would not be likely to meet with the favor of the voters. It is much easier to pass a dishonest or unfair measure in a small legislative body than to defend it successfully in a long campaign of publicity before the people and secure for it the support and votes of a majority of the voters of the State.

No unreasonable measure, however, would be likely to be presented to the Legislature under the Public Opinion Law, for the main reason that ten per cent. of the voters of the State, or more than 40,000 citizens, would have to be induced to sign petitions before the measure would have standing. This consideration disposes at once of any fear of abuse of the law by cranks, faddists or crooks.

While the bill requires the Legislature, if it passes a measure proposed by petition, to pass it without alteration or amendment, it is also provided that the Legislature, or either house, may submit to a vote at the same election at which any such measure is submitted, an alternative or competing measure which is considered better or more expedient. In such a case the voters would express their choice between the two propositions, or vote against both.

### Full Publicity for Questions

The bill provides that measures proposed by initiative petition shall be submitted to a vote at general elections only. This obviates the expense incurred by special elections, and assures a larger vote on the questions. It requires that ninety days shall always intervene between the ordering of an election on any measure and the day of the voting.

The plan for submitting measures to the Legislature before they go to a popular vote gives opportunity for their full consideration and discussion before that body. Add to this the publicity to be obtained in a three month's campaign preceding the balloting on any measure the Legislature fails or refuses to pass, and the requirement that a copy of each measure to be voted on and a facsimile of the official ballot with instructions



for voting it, are to be placed in the hands of each voter who registers for the election, and there is assured a thorough public education and an intelligent vote on the question.

We now have in our State the compulsory referendum, frequently resorted to.

Experience with referendum voting in New Jersey and elsewhere has demonstrated that the average citizen will vote on public questions, and vote intelligently, when he is given a chance to understand what the voting is about, and when the questions submitted are of real public importance.

The provisions of the Public Opinion bill offer every voter a chance to understand all questions submitted.

The fact that no measure can be proposed that is not favored by more than 40,000 citizens, makes it certain that the questions submitted will be of real importance and backed by a live public interest.

While there is every reason to believe that under such conditions real public interest would be manifested in the voting on questions and measures, it is not suggested that all voters would vote on all measures submitted under the Public Opinion Law.

On the contrary, the voting on measures on a separate ballot would operate, as it has elsewhere, to automatically disfranchise the ignorant, indifferent and careless voter. Only the voter intelligently informed concerning the questions at issue, and really interested in them, would take the trouble to vote. The result would be, not a big vote cast largely by unthinking, ignorant or corrupt voters, but an intelligent expression of opinion by the intelligent voters of the State.

The fact that a smaller vote is usually cast in the balloting on questions than in the balloting on candidates, is an argument in favor of, and not against, referendum voting.

Under the present system the Legislature decides what question shall be voted upon. The compulsory referendum has worked poorly, for three reasons:

Questions submitted by the Legislature have not been of such importance as to arouse public interest;

There has not been provision for such publicity and public discussion as enabled the voters to clearly understand the proposition submitted; or,

The question has been submitted at a special or general election with so little preliminary notice that the voters have not been generally aware of such a vote being proposed.

The provision of the proposed law prohibiting the circulation of official ballots outside the polling places, assures an honest vote and removes, as far as possible, the incentive and

**Danger of  
Apathy  
Removed**

**Disfranchises  
the  
Careless  
Voter**

**Compulsory  
Referendum  
a Failure**

**Honest Voting  
Assured**

opportunity for vote-buying, undue influence and other corruption on the balloting.

**Legislature's  
Powers Not  
Diminished**

The Public Opinion Law, or Advisory Initiative, is distinguished from the Initiative and Referendum, or Direct Legislation, in that the latter give to the people the power to make laws for themselves and to veto the acts of the Legislature by a direct vote at the polls. The Advisory Initiative, as its name suggests, provides only for an expression of public opinion by which the people may advise and instruct the legislators.

Under the Public Opinion Law, ten per cent. of the voters, by petition, would suggest a bill to the Legislature. If it were not passed as proposed, the voters would, at the next election, express their opinion on the measure by a separate and direct vote, and it would then be left to the legislators to act as they might please. The only difference, but the vital difference, is that the legislators would know what the people wanted.

There would not be taken from the Legislature, under the proposed law, any powers the people have heretofore delegated to that body.

After a measure was approved by the people at any election, the Legislature would still retain discretionary power to pass or defeat it, as the members saw fit. In voting on the measure, however, the Legislature would not have the power to amend or change its provisions.

If, after knowing public opinion on the subject, the legislators saw fit to refuse to pass a law demanded by the people, they would have an entire right to do so.

A legislator who voted against a measure the people had approved at the polls, however, would know just where he stood in so doing. He would know that he was standing against public opinion—refusing to obey instructions—and the people would know he had failed to respect their wishes and instruction.

The probable result of such a failure to obey instructions would be the retirement of such a legislator to private life at the first opportunity the people had for doing so, and the election in his place of a man who would respect public opinion.

There would be few instances where legislators would refuse to obey instructions, however, as the people would probably elect only such candidates as promised before election to obey the public mandate.

**What the Law  
Would  
Accomplish**

Under the proposed law questions would be considered and decided on their merits, as the discussion and vote would be divorced from partisanship and not influenced by the personality of candidates.

The voter would be enabled to express his opinion on important policies and measures without having to vote against

the candidates of his party, if he happened to disagree with some part of his party's platform.

It would remove the confusion that now exists in the mind of the voter confronted with the necessity for making a choice between two such party platforms as those previously described.

It would tend to discourage tricky legislators who often seek to silence public clamor by passing imperfect, dishonest or ineffective laws under the pretence of granting popular reforms.

It would enable the mass of the people to make the issues, dethrone the party bosses, destroy the influence of corporations and special interests, make it impossible for the politicians to ignore, evade or sidetrack important reforms, and substitute real representative government for machine rule.

Naturally there is opposition to the passage of the Public Opinion bill. Against it will be found:

Every party boss and mere machine politician who fears loss of power, patronage and campaign contributions.

Every corporation that is over-charging or oppressing the people.

Every holder or beneficiary of special privilege.

Every tax-shirker and every person or corporation now escaping taxation through unfair exemptions.

Every grafter and boodler.

Every office-holder and reformer who wants to make and enforce such laws as he thinks the people should have, instead of such laws as the people want.

**Who Oppose  
the Bill**

The party bosses and political time-servers know that if the people can make and force issues, the protected special interests will shut off campaign contributions.

The corporations know that if the people can initiate issues and measures and force them to a vote, there will be legislation to put a stop to the stock-watering system and "high-finance" manipulations which now furnish the excuse for poor service and high rates, charges or prices.

The holders and beneficiaries of special privileges know that if the politicians who now grant and protect these privileges are shorn of power, there will be an end to special privilege and the privileged class.

The favored classes now escaping their fair share of taxation through the favor of the politicians know they will have to pay full taxes if the people are given a say in the matter.

The grafters and boodlers know that under such a law they would have to represent the people or get out of office and out of politics. There is no incentive for giving or taking bribes where the people can compel the legislators to be honest.

**Why They  
Oppose It**

The office-holders who do not represent the people, but who manage to hoodwink their constituents by pretending to do so, know they would have to come out into the open and give the people what they want, if the people had the power to vote separately on measures.

The reformers who want their own peculiar ideas enacted into law and enforced without regard for the wishes of the majority, know that the Advisory Initiative would put an end to sumptuary laws and government by the minority, and would establish majority rule.

### **You Can Help**

All these interests, antagonistic to the common good, have strong influence in the party organizations and in the Legislature. If you want this bill passed you must help fight for it. Here are some of the ways you can help:

Write to the Senator from your county.

Write to the Assemblymen from your county.

Write to the Governor.

Tell these men you want the Public Opinion Law passed, and that you want them to help pass it. They all want your vote, and your influence with them is greater than you perhaps think it is.

Tell your neighbors and friends about this fight and ask them to help.

Join the People's Lobby, so you may be kept informed as to the progress of this fight and of other fights for the common good. Write to the Secretary for application blanks, and give them to your neighbors and friends.

### **Question all Candidates**

If the allied bosses and special interests defeat the bill this year, as they may, start right in for next year's fight.

Write to all candidates for legislative office in your county this fall and ask them if they are for the Public Opinion bill. You will have two chances at them now—one at the primaries, and one on election day.

Let the candidates know you will not vote for them unless they pledge themselves to support this measure. Ask your friends and neighbors to do the same.

These men who ask for your vote are seeking to represent you in making the laws for the State. You have a right to know where they stand. If they refuse to answer questions, it is usually safe to take it for granted that they are against the people.

### **Men Who Have Pledged**

Nineteen members of the 1908 Legislature were pledged to support and vote for this measure.

In the 1907 campaign the People's Lobby addressed ten questions to all legislative candidates. At the head of the list was the following question:

"Will you, if elected, vote for and use your influence to secure the passage of a law that will give to the people of the State, or of any municipality, a right to have a direct and separate vote, in a general election, upon any public question or measure that may be petitioned for by ten per cent. of their number; such vote to be regarded as purely advisory to the legislative body, and taken for the sole purpose of securing an expression of public opinion?"

To this question nineteen members of the House of Assembly answered "Yes" above their signatures as follows:

Essex County—Colgate, Hines, Lowrey, Martin, Morgan, Young.

Hudson County—Daab, Hendrickson, Kenny, Sullivan, Tumulty.

Ocean County—Crosby.

Passaic County—Burpo, McCoid, Prince, Radcliffe, Whitehead.

Union County—Kirstein.

Warren County—Firth.

It is up to the voters to see that these men keep their pledges.

If they do not, it is up to the voters to see that they are succeeded in office by men who will keep faith with the people.

You may have a hobby. Most men do.

You may think some other question more immediately important than this. If so, you are mistaken.

The Advisory Initiative makes easy the solution of all the problems in State politics. It is not in itself an end. It is a means to many ends. Whatever your pet hobby or favorite idea of reform, you will make better headway with your fight under the Advisory Initiative, if you are for a reform the people want and the bosses and special interests oppose.

With the Advisory Initiative, or Public Opinion Law, instead of asking the politicians for favors the people will tell the politicians what they want.

It's a favorite trick of the bosses and the special interests to side-track big and vital reforms by injecting side-issues. In every State where the people have stuck to the main issue and demanded the initiative and referendum in some form, they have won out. When they have obtained this reform first, they have easily secured the other reforms the majority have wanted.

You can't build a house or make a watch without tools. The tools of government are now in the hands of the bosses and the special interests.

The Advisory Initiative will give the people tools they can use without the help of the politicians.

**Don't Fool  
with  
Side Issues**

**Tools to  
Work With**



You can't have popular government while the machinery of government is in the control of men and interests opposed to the people.

The Advisory Initiative will make the government representative.

Real representative government means government by the people, and government by the people means government for the people.

Will you help to make the government of New Jersey representative?

If you will, begin today by writing to your State Senator and Assemblymen, and to the Governor, demanding the passage of the Public Opinion bill.

If you haven't time to write to the Assemblymen, write to the Senator and the Governor.

If you will write only one letter, write to the Governor.

If you don't know who your Senator and Assemblymen are, write to the Secretary of the People's Lobby and ask him to tell you.

### Talk it Over

Here's another way to help.

If you belong to a club, society or organization of any sort that is interested in public questions, bring this subject up at the next meeting and tell the other members about the fight now going on for representative government. Probably some of them have not heard of it.

Ask your club, society or whatever the organization may be, to make the Advisory Initiative the subject for discussion at the next meeting, or to hold a special meeting for its consideration.

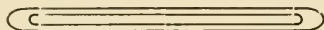
Explain to the members what this fight is for and what it means. Have the meeting adopt a resolution endorsing the bill and pledging its support to the People's Lobby in the fight, and send copies of the resolution to the Governor, to your Senator and Assemblymen, and to the newspapers. If you don't want to take that trouble, send the resolution to the secretary of the People's Lobby, and he will see it gets to the lawmakers and the public.

If you don't understand the subject well enough to explain it clearly to your organization, write to the secretary of the Lobby and ask him to send a speaker who does understand it to your meeting.

This is your fight.

Don't wait for somebody else to do this work.

Do it yourself, and **do it now.**



Developments in the recent legislative life of the State have led those interested in its welfare to realize that in many instances undue influence, chiefly undue corporate influence, has endangered the interests of the people of this State. To remedy this a People's Lobby has been formed. The entire membership of the Lobby has been formed into a General Committee with county branches. From this General Committee a Governing Committee has been created in the formation of which the aim has been to represent fairly all sections of the State.

The annual dues have been fixed at three dollars.

The purposes of the People's Lobby will be to have its representatives present at the sessions of the Legislature, whose duty it will be to examine all bills offered and to see whether they fairly represent the interests of the people, or whether there be attached to them any incidental clauses, popularly known as "riders" or "jokers" and whether bills be conflicting or contradictory, useless or useful, and to make these Bills known to the members of the Lobby and the public.

Its second purpose is to suggest legislation and to secure from the people of the State at large, ideas which should be embodied in such legislation.

Its third object is to compile records of officials and to submit them to the people at stated times, and in general to supervise legislation at all points in the interests of good government.

1st. A law establishing a full, verbatim, stenographic report of the proceedings of both Houses of the Legislature, and to secure the printing and distribution of the same.

2nd. Adoption of the so-called "Oregon" system to allow the voter to indicate upon his ballot his choice for United States Senator.

3rd. Constitutional amendments providing for an elective judiciary, prosecutors and heads of State Departments.

4th. A competitive civil service for State and municipal employees.

5th. Direct nominations and the abolishment of delegate conventions.

6th. The advisory initiative and referendum.

7th. A standing rule in both Houses, or constitutional amendment, requiring that all Committees shall report, and an open vote shall be had, on all bills introduced.

8th. Ballot reform, based upon the principle of giving the fullest opportunity for independent voting.

**The Peoples  
Lobby of  
New Jersey—  
Its Objects  
and Purposes**

**The  
Peoples Lobby  
Platform—  
Adopted  
December  
14, 1906**

**A**ll proceeds from sales of this pamphlet will be used for printing and distributing additional copies.

Single copies of this pamphlet will be sent, prepaid, to any address, upon receipt of ten cents; ten copies, to single address or separate addresses, fifty cents; fifty copies or more, to one address, three cents each; fifty copies or more, to separate addresses, four cents each.

Order from Henry H. Dawson, Treasurer of the People's Lobby, 810 Broad Street, Newark, N. J. Send checks, bank drafts, postal money orders, paper money, silver or postage stamps. Mail money at our risk. We trust the post office.



# Peoples Lobby of New Jersey

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“**T**HERE is just one issue before the country to-day. It is not currency. It is not tariff. It is not railroad regulation. These and other important questions are but phases of one great conflict. Let no man think he is not interested. There is no remote corner of this country where the power of special interests is not encroaching on public rights. Let no man think this is a question of party politics. It strikes down to the very foundation of our free institutions. The System knows no party. It is supplanting government. Men back of the System seem to know not what they do. In their strife for more money, more power, more power, more money, there is no time for thought, for reflection. They look neither forward nor backward. Government, society and the individual are swallowed up in the struggle for greater control. The plain man living the wholesome life of peace and contentment has a better perspective, a saner judgment. He has ideals and conscience and human emotion. Home, children, neighbors, friends, church, schools, country, constitute life. He knows very definitely the conditions affecting the rights guaranteed him by the Constitution, but he longs for expression; he longs for leadership. This makes plain the powerful hold of President Roosevelt and Mr. Bryan upon the confidence and affection of the American people. This makes plain why the President and Mr. Bryan each have, not the Republican party alone, not the Democratic party alone, but the whole people in sympathy with their purposes. Whatever the difference in party policy, whatever the difference in personality, they are striving, each in his own way, for certain fundamental truths that the American people demand shall be settled right, and shall be settled soon.”—Speech of Senator Robert M. LaFollette, in United States Senate, March 24, 1903.

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